

Message Text

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ORIGIN EA-10

INFO OCT-01 IO-10 ISO-00 SCA-01 DPW-01 CIAE-00 DODE-00

PM-03 H-02 INR-07 L-02 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 NSCE-00 SSO-00 USIE-00 INRE-00 SR-02

ORM-01 FDRE-00 OPR-02 AID-20 HEW-02 INS-01 SCS-03

AF-06 ARA-06 EUR-12 NEA-09 /125 R

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FM SECSTATE WASHDC

TO USMISSION GENEVA NIACT IMMEDIATE

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E.O. 11652: N/A

TAGS: ICRC PARM PFOR VN VS

SUBJECT: DIPLOMATIC CONFERENCE ON INTERNATIONAL
HUMANITARIAN LAW: EVACUATION OF VIETNAMESE ORPHANS

REF: (A) GENEVA 2638; (B) STATE 81491; REF (C) STATE 82043

PASS ALDRICH

1. WE HAVE ASSEMBLED FOLLOWING INFORMATION FOR YOUR USE.
CONCUR WITH LEGAL RATIONALE OUTLINED PARA 4 REF A.

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2. IT SHOULD BE EMPHASIZED AT OUTSET THAT, WHILE RECENT

AIRLIFT HAS ATTRACTED GREAT ATTENTION, ADOPTION AGENCIES HAVE BEEN ARRANGING ADOPTIONS OF VIETNAMESE ORPHANS IN U.S. AND OTHER COUNTRIES FOR MANY YEARS. THE FOLLOWING TABLE SHOWS ADOPTIONS FOR PERIOD 1970-1974 INCLUDING TOTAL ADOPTED IN U.S.

---	CY	CY	CY	CY	TOTAL
---	1970-71	1972	1973	1974	CY 1970-74

TOTAL INTERCOUNTRY

ADOPTIONS	200	485	682	1362	2729
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ADOPTED IN THE U.S.	89	119	375	845	1428
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AS OF APRIL 16, 1975, A TOTAL OF 1668 CHILDREN HAD ARRIVED IN THE UNITED STATES UNDER THE CURRENT EMERGENCY AIRLIFT. SOME ARE IN TRANSIT TO OTHER COUNTRIES.

3. REF B, REPEATED TO GENEVA, RECAPITULATES USG POLICY ON AIRLIFT OF ORPHANS FROM INDOCHINA. EVERY EFFORT IS BEING MADE TO SEE THAT CRITERIA SET FORTH REF B ARE COMPLIED WITH. NO CHILDREN HAVE BEEN PERMITTED TO LEAVE ON USG FLIGHTS WITHOUT EXPLICIT PERMISSION OF GVN. LICENSED INTERNATIONAL ADOPTION AGENCIES HAVE, IN ALL CASES, TAKEN CUSTODY OF ORPHANS ON USG FLIGHTS AND ASSUMED RESPONSIBILITY FOR PROPER ADOPTION IN THE U.S. USG HAS SELECTED NEITHER CHILDREN FOR ADOPTION NOR PROSPECTIVE ADOPTIVE PARENTS.

4. FYI. OBVIOUSLY, PRESS OF TIME AND CHAOTIC CONDITIONS PREVAILING FOR AIRLIFTS, PARTICULARLY FROM CAMBODIA, INEVITABLY HAVE LED TO DEVIATIONS FROM POLICY EXPRESSED REF B. WE KNOW, FOR EXAMPLE, THAT DOCUMENTATION DID NOT ACCOMPANY 28 CAMBODIAN CHILDREN MOST RECENTLY BROUGHT TO U.S., BUT ARE SEEKING SUCH DOCUMENTATION FROM BANGKOK. MANY OF THESE CHILDREN SAY THEY HAVE A PARENT IN CAMBODIA, THOUGH THE PARENTS REPORTEDLY VOLUNTARILY SOUGHT TO PUT THEM ON FLIGHTS FOR THE U.S. THIS FLIGHT WAS THE ONLY ONE NOT ESCORTED BY PERSONNEL FROM LICENSED ADOPTION AGENCY. THESE ORPHANS ARE NOW IN THE CUSTODY OF LIMITED OFFICIAL USE

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LICENSED SOCIAL SERVICE AGENCIES. OTHER INSTANCES OF DEPARTURES FROM ESTABLISHED POLICIES PRESUMABLY EXIST. HOWEVER, NO CHILDREN HAVE BEEN KNOWINGLY TAKEN ON USG FLIGHTS WITHOUT A RELEASE FROM A SURVIVING RELATIVE, IF ANY, OR FROM THE ORPHANAGE TO WHICH THEY WERE CONSIGNED. WE CANNOT VOUCH FOR WELL-PUBLICIZED DALY/WORLD AIRWAYS FLIGHT, BUT WE ARE REASONABLY SURE THAT CHILDREN ON THIS FLIGHT WERE PROPERLY DOCUMENTED. IN FACT ALL WERE IN

CUSTODY OF PERSONNEL OF A LICENSED ADOPTION AGENCY.
END FYI.

5. IN CASE OF ALL ORPHANS AIRLIFTED BY USG FROM VIETNAM, SOUTH VIETNAM MINISTRY OF SOCIAL WELFARE AND LICENSED PRIVATE INTERNATIONAL ADOPTION AGENCIES HAVE MADE DETERMINATION THAT LEGAL ADOPTION IN U.S. IS IN BEST INTEREST

OF THE CHILD. SEVEN AMERICAN AGENCIES HAVE BEEN LICENSED BY THE GVN TO UNDERTAKE INTERCOUNTRY ADOPTIONS. IN OVERWHELMING MAJORITY OF CASES, ADOPTIVE PARENTS IN U.S. HAD ALREADY BEEN SELECTED BY ADOPTION AGENCIES PRIOR TO AIRLIFT; NO ORPHANS ARE BEING PLACED WITH ANY U.S. FAMILY WITHOUT CAREFUL CONSIDERATION BY ADOPTION AGENCIES AND RESPECTIVE STATE AGENCIES OF BEST INTERESTS OF EACH INDIVIDUAL CHILD.

6. IN SUBSTANTIAL NUMBER OF CASES, ORPHANS EVIDENTLY ARE CHILDREN OF U.S. SERVICEMEN. IN OTHER CASES, ORPHANS SELECTED HAVE SPECIAL MEDICAL PROBLEMS OR DISABILITIES WHICH MIGHT MORE EASILY BE CARED FOR IN U.S. WITH RESPECT TO CHILDREN OF U.S. SERVICEMEN, WE DO NOT HAVE EXACT FIGURES. INDEED, WE HAVE NOT WISHED AGENCIES TO SINGLE OUT OR LABEL ANY GROUP OF CHILDREN, NOR DO AGENCIES WISH TO DO SO. HOWEVER, IT APPEARS THAT AGENCIES HAVE GENERALLY GIVEN PREFERENCE FOR PLACEMENT OF MIXED BLOOD ORPHANS, MOST OFWHOM WOULD BE CHILDREN OF U.S. SERVICE-MEN. HALF OF CURRENT PLACEMENTS OF ONE LARGE VOLAG, FOR EXAMPLE, ARE IN THE MIXED CATEGORY.

7. USG INVOLVEMENT IN THE AIRLIFT HAS BEEN TO PROVIDE AIR TRANSPORTATION AND TO EXPEDITE U.S. IMMIGRATION PROCEDURES FOR THOSE CHILDREN PERMITTED BY THE GVN AND GKR LIMITED OFFICIAL USE

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TO LEAVE FOR ADOPTION. SOME OF THE U.S. VOLUNTARY AGENCIES WORKING IN INTER-COUNTRY ADOPTIONS, HOWEVER, HAVE RECEIVED SOME GENERAL SUPPORT FOR THEIR CHILD-CARE PROGRAMS IN VIETNAM, INCLUDING ADOPTION PROGRAMS.

8. YOU SHOULD BE AWARE THAT MANY OTHER COUNTRIES HAVE RECEIVED VIETNAMESE ORPHANS AS A RESULT OF AIRLIFTING FROM VIETNAM DURING THIS EMERGENCY. (USG HAS NOT FUNDED ONWARD TRAVEL FROM THE U.S.) YOU MAYWISH TO CONSULT WITH DELS FROM THESE COUNTRIES. ON ONE RECENT VOLUNTARY AGENCY FUNDED CHARTER FLIGHT, FOR EXAMPLE, 69 WERE DESTINED FOR FRANCE, 39 FOR W. GERMANY, 12 FOR SWEDEN, 6 FOR SWITZERLAND, 3 FOR FINLAND, 3 TO U.K., 2 FOR BELGIUM, 2 FOR CANADA, AND ONE EACH FOR ITALY AND LUXEMBOURG. AT LEAST 22 ORPHANS FOR NORWAY CAME TO THE

U.S. ON ANOTHER FLIGHT. THE GOVERNMENT OF AUSTRALIA HAS FLOWN SEVERAL HUNDRED CHILDREN FOR ADOPTION IN THAT COUNTRY.

9. FOR FURTHER BACKGROUND, A.I.D. HAS ASSISTED THE GOVERNMENT OF VIETNAM WITH A WIDE RANGE OF PROGRAMS FOR CHILDREN IN ORPHANAGES, REFUGEE CAMPS, AND MEDICAL CENTERS FOR A NUMBER OF YEARS. THESE PROGRAMS HAVE PROVIDED MEDICAL CARE, FOOD, CLOTHING, SHELTER, SPECIAL COUNSELING FOR

DISTRESSED MOTHERS AND CHILDREN, NUTRITION CENTERS AND ASSISTANCE TO DAY CARE CENTERS AND FOSTER HOMES PERMITTING MOTHERS TO RETAIN THEIR CHILDREN. THIS HAS INCLUDED GRANTS TO A NUMBER OF VIETNAMESE, AMERICAN AND INTERNATIONAL VOLUNTARY AGENCIES, UNICEF AND THE ICRC/IOG. IN THE PAST SEVERAL YEARS, A.I.D. HAS PROVIDED DOLS 35-40 MILLION PER YEAR FOR ASSISTANCE TO THE CHILDREN.

10. FINALLY, WE WOULD STRESS THAT CHILDREN AIRLIFTED TO DATE FROM VIETNAM WERE CHILDREN ACTUALLY IN VARIOUS STAGES OF PROCESSING FOR ADOPTION. THEY WOULD HAVE BEEN MOVED TO THEIR DESTINATIONS OVER THE COMING MONTHS BUT BECAUSE OF THE CURRENT CIRCUMSTANCES, THE FINAL STAGES OF THE PROCESS WERE ACCELERATED, NAMELY, GVN EXIT VISA, THE FLIGHT ACROSS THE PACIFIC, AND U.S. IMMIGRATION PROCESSING.

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11. ANY OF ABOVE INFORMATION MAY BE USED AS YOU CONSIDER HELPFUL.

DECONTROL FOLLOWING JUNE 30, 1975. KISSINGER

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